

LAW OFFICE  
NOTARO, MICHALOS & ZACCARIA P.C.

ANGELO NOTARO  
PETER C. MICHALOS  
JOHN ZACCARIA  
NADER A. ABADIR  
BRADLEY S. CORSELLO  
PETER BUCCI  
ALAN FEDERBUSH  
BRIAN J. DOYLE

PATENTS  
TRADEMARKS  
COPYRIGHTS  
  
OF COUNSEL  
MILTON WOLSON

February 13, 2020  
JERICHO, NEW YORK

BY ECF

Hon. Paul G. Gardephe  
United States District Judge  
Southern District of New York  
40 Foley Square, Room 2204  
New York, New York 10007

The Application is **granted**.

SO ORDERED:

*Paul G. Gardephe*  
Paul G. Gardephe, U.S.D.J.

*The conference is  
adjourned to March 19, 2020  
at 9:30 a.m.  
Feb. 19, 2020*

Re: *E. Mishan & Sons, Inc. v. Premier Products Inc. and Big Lots Stores, Inc.*  
Civ. Action No. 1:19-cv-06999

Dear Judge Gardephe:

We represent plaintiff E. Mishan & Sons, Inc. ("Emson") in the above-captioned action, and respectfully submit this letter jointly with counsel for defendants Premier Products Inc. ("Premier") and Big Lots Stores, Inc. ("Big Lots") (collectively, "Defendants") pursuant to the Court's Order (ECF 32) to submit a proposed case management plan by February 13, 2020.

Earlier today, the parties reached a settlement in principle. Although the parties submit the attached proposed case management plan in compliance with the Court's Order, the parties respectfully request the Court hold the proposed case management plan in abeyance and adjourn the conference scheduled for February 20, 2020 at 11:00 a.m. in order to give the parties time to memorialize the settlement with a written settlement agreement which will include a consent judgment.

Thus, pursuant to Rule I.E of the Court's Individual Rules of Practice, we respectfully request a 30-day adjournment of the February 20, 2020 conference (e.g., to March 19, 2020).

Counsel for Defendants have reviewed and granted consent to the submission of this letter.

Respectfully submitted,

*s/Alan Federbush*

Alan Federbush

cc:

All counsel of record by ECF

1270 BROADWAY, SUITE 807, NEW YORK, NY 10001-3224 • Tel: (212) 278-8600 • Fax: (212) 278-8687  
100 DUTCH HILL ROAD, ORANGEBURG, NY 10962-2107 • Tel: (845) 359-7700 • Fax: (845) 359-7798  
nmpe@notaromichalos.com • www.notaromichalos.com